

PC RESOLUTION NO. 2024-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA APPROVING PLANNING APPLICATION NO. PA22-0670, A CONDITIONAL USE PERMIT FOR A RESTAURANT TO OFFER ALCOHOL SERVICE WITH A CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL TYPE 47 LICENSE LOCATED AT 28721 OLD TOWN FRONT STREET AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (APN 922-073-026)

Section 1. Procedural Findings. The Planning Commission of the City of Temecula does hereby find, determine and declare that:

A. On June 16, 2022, Chris Campbell, on behalf of Oak and Ocean, filed Planning Application No. PA22-0670, a Conditional Use Permit Application in a manner in accord with the City of Temecula General Plan and Development Code.

B. The Application was processed including, but not limited to a public notice, in the time and manner prescribed by State and local law.

C. The Planning Commission, at a regular meeting, considered the Application and environmental review on May 1, 2024, at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to and did testify either in support or in opposition to this matter.

D. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission approved Planning Application No. PA22-0670 subject to and based upon the findings set forth hereunder.

E. All legal preconditions to the adoption of the Resolution have occurred.

Section 2. Further Findings. The Planning Commission, in approving the Application hereby finds, determines and declares that:

Conditional Use Permits, Development Code Section 17.04.010.E

A. The proposed use is in conformance with the General Plan and Development Code.

The project will allow for a proposed restaurant to offer the sale of alcoholic beverages within an existing commercial structure located in the Downtown Core District. Restaurants are an allowable use within the Downtown Core District of the Specific Plan and it is common for restaurants to offer a variety alcoholic beverages. The application does not propose any revisions to the existing structure or site. Therefore, the operation of a restaurant that offers the sale of alcohol is a negligible expansion of use beyond that which exists under the current conditions. Furthermore, this unique restaurant offering

theatrical entertainment is consistent with the General Plan (Economic Development-Policy 6.3) which emphasizes “Continuing to expand Old Town’s role in local Tourism and improve its attractiveness, accessibility, and economic vitality, as well as it’s interaction with other local attractions.”

B. The proposed conditional use is compatible with the nature, condition and development of adjacent uses, buildings and structures and the proposed conditional use will not adversely affect the adjacent uses, buildings or structures.

The conditional use will allow a proposed restaurant to serve alcoholic beverages. This type of use is permitted in the Downtown Core district of the Old Town Specific Plan upon the approval of a Conditional Use Permit. Alcohol-serving restaurants are common throughout the City including in Old Town. In addition, the use has been reviewed to ensure consistency with the City of Temecula Development Code. This Code contains provisions designed to provide for the use’s compatibility with the nature, condition and development of adjacent uses, buildings and structures. The use is considered compatible with the nature, condition and development of adjacent uses, buildings and structures as the adjacent uses also include alcohol sales.

C. The site for a proposed conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, buffer areas, landscaping, and other development features prescribed in the Development Code and required by the planning commission or council in order to integrate the use with other uses in the neighborhood.

The existing building was constructed in conformance with the Development Code, Building Code, and Fire Code. Therefore, the site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, buffer areas, landscaping, and other development features prescribed in the Development Code and required by the Planning Commission in order to integrate the use with other uses in the neighborhood.

D. The nature of the proposed conditional use is not detrimental to the health, safety and general welfare of the community.

The project meets all the requirements of the Development Code, Fire Code and Building Code, which provide safeguards for the health, safety and general welfare of the community. The business will be providing a minimum of two security guards at every live event to help ensure that the service of alcohol and offering of entertainment at the establishment does not create a condition that is detrimental to the health, safety and general welfare of the community. Therefore, the project is not anticipated to be detrimental to the health, safety and general welfare of the community.

E. That the decision to approve, conditionally approve, or deny the application for a conditional use permit be based on substantial evidence in view of the record as a whole before the Director of Community Development, Planning Commission, or City Council on appeal.

The decision to conditionally approve the application for a Conditional Use Permit has been based on substantial evidence in view of the record as a whole before the Planning Commission.

Section 3. Environmental Findings. The Planning Commission hereby makes the following environmental findings and determinations in connection with the approval of the Conditional Use Permit Application:

A. In accordance with the California Environmental Quality Act, the proposed project has been deemed to be categorically exempt from further environmental review (15301, Class 1, Existing Facilities).

In accordance with the California Environmental Quality Act, the proposed project has been deemed to be categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301, existing facilities. The request for a Conditional Use Permit for the establishment to serve beer, wine, and distilled spirits will be conducted in an existing commercial structure and involves a negligible expansion of existing and expected uses. All access to public utilities are available to the site. The proposed use, with issuance of a Conditional Use Permit, is in conformance with all zoning requirements contained in the Development Code and the Old Town Temecula Specific Plan.

Section 4. Conditions, Statement of Operations, and Plans. The Planning Commission of the City of Temecula approves Planning Application No. PA22-0670, a Conditional Use Permit for a restaurant to offer alcohol service with a Type 47 License located at 28721 Old Town Front Street, subject to the Final Conditions of Approval set forth on Exhibit A, Statement of Operations set forth on Exhibit B, and the Plans set forth on Exhibit C, attached hereto, and incorporated herein by this reference.

PASSED, APPROVED AND ADOPTED by the City of Temecula Planning Commission
this 1st day of May 2024.

Bob Hagel, Chair

ATTEST:

Luke Watson
Secretary

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)ss
CITY OF TEMECULA)

I, Luke Watson, Secretary of the Temecula Planning Commission, do hereby certify that the foregoing PC Resolution No. 2024- was duly and regularly adopted by the Planning Commission of the City of Temecula at a regular meeting thereof held on the 1st day of May 2024, by the following vote:

AYES: PLANNING COMMISSIONERS:

NOES: PLANNING COMMISSIONERS:

ABSTAIN: PLANNING COMMISSIONERS:

ABSENT: PLANNING COMMISSIONERS:

Luke Watson
Secretary